THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.No.17356 of 2006

Dated:23-08-2006

Between:

B.Pandarinath and others Petitioners

And

Municipal Corporation of Hyderabad and another

Respondents

THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.No.17356 of 2006

ORDER:

1. The writ petition is filed for a writ of Mandamus declaring the action of the respondents in demolishing front side-two shops, a house consisting of two rooms belonging to the petitioners bearing No.8-1-296/A/1, Shaikpet, Hyderabad, without giving any notice whatsoever, or following the due procedure of law as illegal, arbitrary and against the principles of natural justice and violative of Articles, 14,21 and 300-A of the Constitution of India, and consequently direct the respondents not to demolish the front side two shops, a 2 roomed house of the petitioner in House No.8-1-296/A/1, Shaikpet, Hyderabad without giving any notice or following the due procedure of law and pass such other suitable orders.

2. The facts relating to the registered sale deed and the family settlement had been narrated in detail in the affidavit filed in support of the writ petition. The main grievance of the writ petitioners is that the respondents are proceeding with the demolition activity without following the due process of law. It is needless to say that the respondents are bound to follow the procedure as per law and till then, the respondents cannot carry out the further demolition activity.

3. In view of the same, the writ petition is disposed of directing the respondents not to resort to any demolition activity relating to the subject matter of the writ petition unless and until they follow the due process of law.

4. Accordingly, the writ petition is disposed of. No order as to costs.

23-08-2006

Note:
C.C. in two days.
B/o.

Stp